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JAN 27 2005

In re Application of

Atty. Docket

BARTEL M. VAN DE SLUIS

NL000469

Serial No.: 09/933,845

Group Art: 2153

Filed: August 21, 2001

Examiner: Y. M. Bargadle

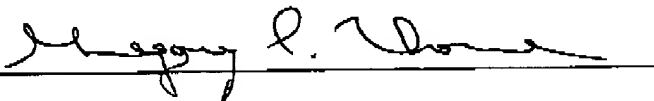
Conf. No.: 7423

Title: METHOD FOR ENHANCING RENDERING OF CONTENT ITEM, CLIENT
SYSTEM AND SERVER SYSTEM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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By 

AMENDMENT

Sir:

In response to the Office Action of November 27, 2004, please amend the application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

An IDS follows page 8 of this paper.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently amended) A method of enhancing rendering of a content item, comprising receiving a portion of the content item from a client system ~~(200, 220)~~, processing the received portion to obtain an identifier for the content item, obtaining further information on the content item using the identifier, and transmitting the further information to the client system ~~(200, 220)~~, wherein a portion of the further information includes an offer to sell a further content item related to the content item.

2-8. (Canceled)

9. (Currently amended) A server system ~~(250)~~ arranged for facilitating enhanced rendering of a content item, comprising receiving means ~~(251)~~ for receiving a portion of the content item from a client system ~~(200, 220)~~, processing means ~~(252)~~ for processing the received portion to obtain an identifier for the content item, lookup means ~~(253, 260)~~ for obtaining further information on the content item using the identifier, and for transmitting the further information to the client system ~~(200,~~

220), wherein a portion of the further information includes an offer to sell a further content item related to the content item.

10. (Currently amended) The server system ~~(250)~~ of claim 9, the processing means ~~(252)~~ being arranged for computing a hash value for the received portion of the content item, the identifier comprising the computed hash value.

11. (New) A method of facilitating an e-commerce transaction comprising the acts of:

receiving an electronic content item;

processing the content item to determine an identifier for the content item; and

transmitting an electronic offer to sell in response to the determined identifier.

12. (New) The method of Claim 11, wherein the receiving comprises the acts of:

receiving at a client system the electronic content item; and

transmitting to a server system a portion of the electronic content item.

13. (New) The method of Claim 11, wherein the processing comprises the acts of:

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calculating a hash of the content item; and
determining the identifier from the hash of the content item.

14. (New) The method of Claim 11, wherein the processing
comprises the acts of:

extracting a watermark from the content item; and
determining the identifier from the watermark.

REMARKS

This amendment is responsive to the Office Action that issued November 27, 2004. In light of the remarks that follow, reconsideration and removal of the grounds for rejection are respectfully requested.

In the Office Action, Claims 1-10 are rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent Publication No. 2001/0031066 to Meyer et al ("Meyer"). Claims 2-8 are canceled herein, without prejudice. In addition Claims 1, 9, and 10 are amended herein including amendments to eliminate exemplary reference symbols so as to put the claims in better US format.

As a first matter, Meyer is not valid prior art for many elements that it is alleged it shows. Meyer has a filing date of January 24, 2001 and claims priority as a non-provisional application of Provisional Application No. 60/178,028, filed January 26, 2000, and as a continuation-in-part from U.S. Patent Application No. 09/563,664 (now, U.S. Patent No. 6,505,160) filed May 2, 2000 (collectively hereinafter, "Meyer's Priority Documents"). The present Patent Application No. 09/933,845 has a filing date of August 21, 2001 and claims priority of a European Application No. 00202947.8 filed August 23, 2000. Only Meyer's Provisional Application No. 60/178,028, filed January 26, 2000 and U.S. Patent No. 6,505,160, filed May 2, 2000 are prior art to Applicant's current Application No. 09/933,845 that claims priority

to August 23, 2000. If not for those dates, Meyer is not prior art since only those dates precede Applicants European Application priority date.

Under MPEP §706.02 heading, "DETERMINING THE EFFECTIVE FILING DATE OF THE APPLICATION" it states that "the effective filing date of a U.S. application may be determined as ... (B) [i]f the application is a continuation-in-part of an earlier U.S. application, any claims [or subject matter for that purpose] not supported [under 35 U.S.C. §112] by the specification and claims of the parent application have an effective filing date equal to the filing date of the new application." Under section (D), the same requirement is stated for a claim of priority to a Provision Patent Application.

Yet, Meyer's Priority Documents do not support several of the sections of Meyer's U.S. Patent Publication No. 2001/0031066 cited in the Office Action. Meyer's Provisional Application No. 60/178,028 and U.S. Patent No. 6,505,160 are identified in an Information Disclosure Form attached hereto for the Examiner's attention. Specifically Meyer's Priority Documents do not support "receiving a portion of the content item from a client system, processing the received portion to obtain an identifier for the content item, obtaining further information on the content item using the identifier, and transmitting the further information to the client system, wherein a portion of the further information

includes an offer to sell a further content item related to the content item" as required by Claim 1. Further, Meyer's Priority Documents do not support "server system arranged for facilitating enhanced rendering of a content item, comprising receiving means for receiving a portion of the content item from a client system, processing means for processing the received portion to obtain an identifier for the content item, lookup means for obtaining further information on the content item using the identifier, and for transmitting the further information to the client system, wherein a portion of the further information includes an offer to sell a further content item related to the content item" as required by Claim 9, nor a "method of facilitating an e-commerce transaction comprising the acts of: receiving an electronic content item; processing the content item to determine an identifier for the content item; and transmitting an electronic offer to sell in response to the determined identifier" as required by Claim 11. The sections cited in the Office Action as showing these or similar features are not present in Meyer's Priority Documents.

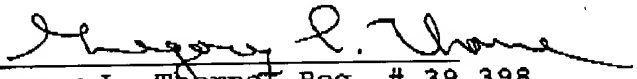
Therefore, Meyer is not entitled to the priority dates of the Meyer Priority documents for these features and is not prior art for these features with regard to the present patent application.

Further, even Meyer, with the faulty priority date, does not disclose or suggest the features required by Claim 1, 9, and 11, as

amended. Accordingly, allowance of Claims 1, 9, and 11 is respectfully requested.

Claims 10 and 12-14 depend from one of Claims 9 and 11 and are allowable for at least this reason as well as for the separately patentable elements respectively contained in each. Accordingly, separate consideration and allowance of each of Claims 10 and 12-14 is respectfully requested.

Respectfully submitted,

By 
Gregory L. Thorne, Reg. # 39,398
Senior Patent Counsel
(914) 333-9665
January 27, 2005

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

To Commissioner For Patents

Enclosed herewith is a Form PTO-1449, any required copies of documents listed thereon, and any concise explanation of their relevance is indicated below per 37 CFR 1.97.

Application Number	09/933,845
Filing Date	AUGUST 21, 2001
First Named Inventor	BARTEL M. VAN DE SLUIS
Group Art Unit	2153
Examiner Name	YASIN M. BARQADLE
Attorney Docket Number	NL000469

☒ Please charge any required fee under §1.17(i) or §1.17(p) or any other required fee (except the issue fee) to Account No. 14-1270.

- ☐ I certify that these documents were first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three (3) months ago.
- ☐ I certify that none of these documents were cited in any communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, none of these documents was known to any individual designated in §1.56(c) more than three (3) months ago.

☐ Applicant hereby petitions under §1.97(d) that this IDS be considered after final Action or Notice of Allowance, pays the fee under §1.17(p) as indicated below, and I certify 1. or 2. as indicated above.

☐ A fee under §1.17(p) is not required under §1.97(c), after the first Action on the merits and more than (3) months after the date of application or RCE, because I certify 1. or 2. as indicated above.

☐ A copy of the citations is not required because they were previously submitted or cited in the parent application (or in U.S. patent application Ser. No. _____ Filing Date _____ relied on for an earlier effective filing date under 35 U.S.C. 120).

☐ A copy of the U.S. patent(s) and patent application publication(s) in all U.S. national patent applications filed after June 30, 2003, and in all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003 under 37 CFR 1.491(b), are not required.

☐ A concise explanation of the relevance of each non-English document, as understood by the individual designated in §1.56(c) most knowledgeable about the contents, is enclosed per §1.98(a)(3).

The concise explanation of the relevance of any non-English document, as understood by the individual designated in §1.56(c) most knowledgeable about the contents, is that the document is/was:

☐ cited in the specification or considered in drafting the specification of this application;

☐ previously submitted or cited in the parent application (or in a related patent application Ser. No. _____ filing date _____).

☐ cited as an "X" or "Y" document in a foreign Patent Office search report in a foreign counterpart application, a copy of which report is also enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	GREGORY L. THORNE	Registration No. (Attorney/Agent)	39,398
Signature		Date	

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Sheet 1 of 1

Form PTO-1449 U.S. DEPARTMENT OF COMMERCE (REV. 7-80) PATENT AND TRADEMARK OFFICE										Atty. Docket No. NL000469		Serial No. 09/933,845		
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)										BARTEL M. VAN DE SLUIS				
										Filing Date AUGUST 21, 2001		Group 2153		
U.S. PATENT DOCUMENTS														
Ex. Int		Document Number								Date	Name	Class	Sub- class	Filing Date If Approp.
	AA	6	5	0	5	1	6	0	1/2003	LEVY ET AL	704	270		
	AB													
	AC													
	AD													
	AE													
	AF													
FOREIGN PATENT DOCUMENTS														
		Document Number								Date	Country	Class	Sub- class	Trans. Yes No
	AG													
	AH													
	AI													
	AJ													
	AK													
OTHER (Including Author, Title, Date, Pertinent Pages, Etc.)														
	AL	Geoffrey B. Rhoads et al., Digimarc Corp., "Managing On-Line Media Library Through Links in Media Signals", Provisional Application Serial Number 60/178,028												
	AM													
	AN													
Examiner										Date Considered				
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M 609; Draw line through citation if not in conformance and not considere. Include a copy of this form with next communication to applicant.														

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